Atilla
ATTORNEY at LAW Babacan

333 Southwest 2nd Street, 2nd Floor, Fort Lauderdale, FL 33312

Monday, October 17, 2004

Re: State of Florida -*vs*- Emir Onur Cilek
Miami-Dade County Case Number F03-021585

To Whom It May Concern:

This law firm represented Emir Onur Cilek in the above-referenced matter. The State of Florida (the prosecuting authority) has declined to prosecute Mr. Cilek in this case despite the fact that Mr. Cilek requested a timely trial while the evidence and recollection of witnesses was fresh and the witnesses were in the area and available to testify. Instead the State dismissed the charges against Mr. Cilek, therefore, no further action is required by Mr. Cilek with regard to this alleged incident and no decisions were required from Judge David C. Miller, who presided over the case. Procedurally, pursuant to the Florida Rules of Criminal Procedure, the matter was dismissed by the State as they declined to take action in the case. The State felt that they would not meet their burden of proving a case against our client, Mr. Cilek.

If anything further is required or there are any questions regarding this issue, please do not hesitate to contact this office to schedule telephonic testimony or deposition.

Very Truly Yours,

Atilla Babacan, Esq.

STATE OF FLORIDA }
COUNTY OF BROWARD }

THE FOREGOING INSTRUMENT was acknowledged before me this 17th day of October, 2004.

Notary Public-State of Florida:

Sign Vilma Dwake
Print VIlma Dwake, Notary Public

Personally Known ✓; OR Produced Identification ________
Affix Seal Below:

Vilma Dwake
Commission # DD 025124
Expires May 13, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

phone: (954) 567-2023 • fax: (954) 252-4604 • e-mail: AtillaEsq@aol.com • www.AtillaEsq.com

IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In the Matter of The Extradition of **EMIR ONUR CELIK**	))))	Misc. No. 1 : 05m6

D E C L A R A T I O N

I , Joshua Weintraub, make the following unsworn declaration Pursuant to 28 U.S.C. §1746:

1. I am currently employed as the Division Chief of the Sexual Battery/Child Abuse Unit within the office of the State Attorney in the Eleventh Judicial Circuit, Miami, Florida.

2. I have reviewed the file in the Investigation and disposition of State of Florida v. Emir Celik, 03-2158. After the defendant was arrested by the Aventura Police Department, the case was reviewed by ASA Pat Trese and myself. Due to extreme evidentiary difficulties outline in Mr. Trese's memorandum this case was "no actioned" on September 9, 2003. Otherwise, this case would have been filed prior to the 40th day following the defendant's arrest pursuant to Florida Rules of Criminal Procedure 3.134 and 3.140.

GOVERNMENT EXHIBIT 13 1:05m6

I declare under penalty of perjury that the foregoing is true and correct. Executed on 2-3-05.

Joshua Weintraub
Assistant State Attorney